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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR 08-00487 JF  
11 )  
Plaintiff, ) STIPULATION AND [PROPOSED]  
12 vs. ) ORDER CONTINUING JURY TRIAL AND  
13 ) PRETRIAL CONFERENCE  
ROBERT ALAN THOMAS, )  
14 Defendant. )  
15 \_\_\_\_\_ )

16 **STIPULATION**

17 The parties hereby stipulate and agree that the jury trial in the above-captioned matter  
18 currently scheduled for jury selection on Friday, December 4, 2009 may be continued to Friday,  
19 February 5, 2010 at 1:30 p.m., and that the final pretrial conference currently set for November  
20 20, 2009 may be continued to January 22, 2010 at 11:00 a.m. The reason for the requested  
21 continuance is to accommodate scheduling conflicts of the parties and the Court.

22 The parties further stipulate and agree that 63 days may be excluded from the time within  
23 which trial shall commence, on the ground that failure to grant such a continuance would  
24 unreasonably deny the parties continuity of counsel, pursuant to Title 18, United States Code  
25 Section 3161(h)(1)(F), (h)(7)(A) and (h)(7)(B)(iv).  
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1 Dated: September 30, 2009

2 s/\_\_\_\_\_  
3 MATTHEW J. BUZZELLI  
4 DOJ Trial Attorney, Obscenity Prosecution Task Force

5 Dated: September 28, 2009

6 s/\_\_\_\_\_  
7 CYNTHIA C. LIE  
8 Assistant Federal Public Defender

9 **[PROPOSED] ORDER**

10 Good cause appearing and by stipulation of the parties, it is hereby ordered that the final  
11 pretrial conference currently scheduled for November 20, 2009 shall be continued to January 22,  
12 2010 at 11:00 a.m., and that the jury trial currently scheduled to begin jury selection on  
13 December 4, 2009 shall be continued to Friday, February 5, 2010 at 1:30 p.m.

14 It is further ordered that 63 days shall be excluded from the time within which trial shall  
15 commence under the Speedy Trial Act, on the ground that the failure to grant such a continuance  
16 would unreasonably deny the parties continuity of counsel. 18 U.S.C. §3161(h)(1)(F), (h)(7)(A)  
17 and (h)(7)(B)(iv).

18 Dated: October 5, 2009

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20 JEREMY FOGEL  
21 United States District Judge  
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